

## DECLARATION FOR REISSUE PATENT APPLICATION

I, Marcello Toncelli declare that

My residence, post office and citizenship are the same as stated next to my name.

I verily believe that I am an original, first and sole inventor of the subject matter of the invention described and claimed in the US Letters Patent No. 5,670,007 entitled PROCESS FOR THE PRODUCTION and in the foregoing specification for which invention I solicit a reissue patent.

I do not believe that said invention was ever known or used in the United States of America before any invention thereof; that I verily believe the original patent to be partially inoperative or invalid by reasons of the patentee claiming more or less than the patentee had a right to claim in the patent and defective by reason that I claimed less than I have a right to claim in the patent, and specifically, on the basis that the claims are too narrow in that the invention is broad enough as disclosed to be directed to a process for producing reinforced slabs of the products made of stone material having a reinforcement which includes a hardened resin combined with a rear face of the slab, and language in the claim that the rear smooth face is free of grooves or recess. That is, the Claims of my U.S. Patent No. 5,670,007 require that the rear smooth face is free of grooves or recess, and it is now desired to remove the limitation and include a rear smooth face which can include grooves or recess. The claims also do not have to include a reinforcing layer between the coated non-twisted linear reinforcing linear reinforcing elements and the rear face of the slab of stone material, because this is considered to be too limiting.

Claims 1 to 20 of the original patent are being retained. The amended claims in this reissue application do not require that the rear substantially smooth face be free of grooves or recess. New claim 21 was broadened to include this feature. Also, reference is made to column 4, lines 10 to 28, which clearly sets forth experimental results comparing mechanical properties of a granite slab reinforced according to the invention and disclosure as originally filed in comparison with a granite slab without any or free of any rear reinforcement. Therefore, new claim 21 was also broadened to exclude the inclusion of a reinforcing layer between the coated non-twisted linear reinforcing elements and the rear face of the slab of stone material. Clearly, it is my opinion that my invention as disclosed entitles me to the subject matter as claimed in claim 1, and claim 21.

The Claims in this reissue application are for a matter for which the applicant verily believes he had the right to claim in the original patent. The addition of the feature about the insertion of a reinforcing layer was added during prosecution of the patent for formal or 112 reasons, and not to distinguish from any prior art.

Furthermore, the reissue claims are submitted as being for the same invention as the invention disclosed in the original patent. It is further submitted that the new Claims 21 to 37 are not directed to subject matter which has been previously canceled. The Claims 21 to 37 are considered to be a broadening of the Claims as originally filed and this application is being filed within the two year limit for filing applications for a broadening reissue.

The background to this invention is that in my granted US Patent No. 5,670,007 I, the applicant refer to a process of producing reinforced slabs which only require the features in new claim 21.

With this invention in mind as disclosed at column 3, lines 8 to 12 of US Letters Patent No. 5,670,007 and therefore instead of requiring that the rear smooth face be free of grooves or recess, this is omitted and the insertion of the reinforced layer is also omitted. Reference is also made to column 2, lines 60 to 67 of my patent, and to column 4, lines 10 to 28 of my patent.

I discussed this invention in detail with my Italian patent advisor and left to him the drafting of the actual application. The nature of my relationship with my patent advisor and my other activities at the time meant that the application was filed with some reference to me and what contact there was tended to be by telephone. I was basically concerned with the day to day operations of my factory and left the details of the claims to my patent advisor. My understanding of the patent was what was in the specification, and after the patent issued, I then discussed the various aspects of the protection.

Claim 22 is similar to claim 2 of my patent but is broadened because it now depends from new claim 21.

Claim 23 is a new claim that was added, dependent on claim 22 which refers to glass strands and the percentage ratio in claim 4 of my patent, and the glass strands can be in the form of a matting or bundles.

Claim 24 tracks claim 5 of my patent.

Claim 25 follows claim 6 of my patent.

Claim 26 adds the feature of inserting further linear reinforcing elements, and this is a feature which was removed from claim 1 to arrive at claim 21.

Claim 27 is based on claim 7 of the patent, but is broader in some aspects.

Claim 28 calls for grooves or recesses formed in the rear face and adds reinforcing elements as being housed in the grooves or recesses, and claim 8 of the patent is a basis for this claim.

Claim 29 is based on claim 9 of the patent, and is broader in some respects.

Claim 30 substantially follows claim 10 of the patent.

Claims 31 to 33 generally follow claims 11 to 13 of the patent, respectively.

Claim 34 tracks claim 14, but has some slight change in rendition of the ratio.

Claim 35 is somewhat similar to claim 16 of the patent.

Claim 36 is based on claim 17 of the patent.

Claim 37 is based on claim 18 of the patent.

There is a basis in the specification of the application as originally filed for a broadening of the claims.

I have reviewed Claims 1 to 20 of my original patent and have submitted claims 21 to 37 in this reissue application. Claim 21 is as original claim

1 of the patent except for removal of the limitation of the insertion of the reinforcing layer and the removal of free of grooves and recesses.

The errors as noted above in connection with the claims arose without any deceptive intention on my part, as clearly evidenced from the above statements, and a specific indication is set forth specifying the errors relied upon and how they arose and occurred.

The specification of the original US Patent No. 5,670,007 was filed as an application on August 11, 1995 claiming my Italian priority date. I have identified below any foreign application for patent or inventor's certificate having a filing date before that of the Application Serial No. 08/513,687 on which US Patent No. 5,670,007 was issued on September 23, 1997 listed below and have also identified below any foreign application for a patent or inventor's certificate having a filing date before that of the above-identified application for which priority is claimed.

THE PRIOR FOREIGN APPLICATION FOR WHICH PRIORITY  
IS CLAIMED FOR APPLICATION SERIAL NO. 08/513,617 IS AS FOLLOWS:

TV94A000 102                      Italy                      25/08/1994

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to act in accordance with instructions from Dragotti & Associates.

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I hereby state that I have reviewed and understand the  
contents of the reissue application including the claims, as amended and changed.

I acknowledge the duty to disclose information which is  
material to the examination of this application in accordance with Title 37, Code  
of Federal Regulations § 1.56(a).

Referring now to the prior art, Toncelli, EPO 631 015, new  
claims 21 to 38 distinguish from Toncelli which provides for a slab 10 which  
includes as a unitary structure, a grid 12 into which a lattice work of metal bars or  
strips 18 are inserted. In effect, once the lattice work 18 is inserted, then the resin  
is impregnated. This is clearly distinguishable from claim 21. The present  
invention eliminates the grid 12 and the reinforcing members 16.

Bauer et al., U.S. Patent No. 4,973,526 and Bourke, U.S.

Patent No. 3,723,233 are not pertinent to the new claims 21 to 38, and note that marble lamina 4 is one part of a sandwich construction. Both Bauer et al and Bombe are concerned with a sandwich construction.

The two Kourtiles U.S. Patent Nos. 4,135,019 and 4,193,829 are not pertinent to the new claims.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and the such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Date:

13 luglio 1999